

REMARKS

Claims 1-55 are pending. Claims 1-55 are rejected. Claims 1, 8, 15, 24, 32, 39, 45, and 54 have been amended. No new matter has been added.

Drawings

Applicant understands this application to have been filed with a total of 5 sheets of informal drawings; a copy of the returned postcard is attached hereto. The present Office Action invites the submission of drawings illustrative of embodiments of the present invention. Applicant respectfully requests clarification of this remark.

35 U.S.C. 101 Rejections

Claims 1-55 are rejected under 35 U.S.C. § 101 as being directed to nonstatutory subject matter. Specifically, the rejection suggests that Claims 1-55 contain language that does not disclose any technological implementations and is abstract. Applicant respectfully disagrees, and asserts that, pursuant to a recent decision by the Board of Patent Appeals and Interference, this rejection is moot. The Examiner is respectfully directed to Ex parte Carl A. Lundgren, Appeal No. 2003-2088.

35 U.S.C. 102(b) Rejections

Claims 1-55 are rejected under 35 U.S.C. 102(b) as being anticipated by Agestam et al., U.S. Patent No. 5,512,885.

The Examiner is respectfully directed to independent Claim 1, which, as amended, recites that an embodiment of the present invention is directed to:

A method of creating a desired group, comprising:

- a) defining one or more private groups, each private group configured for use by one or more first corresponding owners, each private group being unavailable to use by one or more non-owners;
- b) defining one or more public groups, wherein each public group is defined by reference to at least one of said private groups, and wherein each public group is configured for use by one or more second corresponding owners and said one or more non-owners;
- c) selecting one or more particular groups from a set of said one or more private groups and said one or more public groups;
- d) for each selected particular group, indicating whether said selected particular group is to be included in or excluded from said desired group; and
- e) associating each of said selected particular groups, with reference to inclusion or exclusion, so as to functionally define said desired group.

Claims 8, 15, 24, 33, 39, 45, and 54 recite similar limitations. Claims 2-7 are dependent upon Claim 1, and recite further features of the claimed invention. Claims 9-14 are dependent upon Claim 8, and recite further features of the claimed invention. Claims 16-23 are dependent upon Claim 15, and recite further features of the claimed invention. Claims 25-32 are dependent upon Claim 24, and recite further features of the claimed invention. Claims 34-38 are dependent upon Claim 33, and recite further features of the claimed invention. Claims 40-44 are dependent upon Claim 39, and recite further features of the claimed invention. Claims 46-53 are dependent upon Claim 45, and recite further features of the claimed invention. Claim 55 is dependent upon Claim 54, and recites further features of the claimed invention.

The rejection suggests that Agestam suggests each limitation of the embodiment of the present invention recited in Claim 1. Applicant respectfully disagrees, and asserts that Agestam fails to describe a method of creating a desired group, where the desired group is created by selecting one or more particular groups from a set of public and private groups and indicating, for each particular group, whether the selected particular group is to be included or excluded from the desired group, as claimed.

Applicant understands Agestam to describe a method to allow different categories of users in a data network to communicate with other categories of users outside of a closed user group, without allowing prohibited contact between members of closed, unrelated user groups (col 1, ln. 66 - col. 2, ln. 5). The method by which Agestam appears to accomplish this end is to define a special type of user group, which includes members of multiple user groups, and to associate membership in that special type of user group with a polarity (Fig. 2, col. 2, ln. 65 - col. 3, 34).

Agestam does not teach or suggest creating a desired group by selecting from a set of other groups, and indicating whether to include or exclude the elements of each selected group in the desired group, as claimed. Accordingly, Applicant respectfully contends that Agestam fails to anticipate or render obvious the embodiment of the present invention recited in Claim 1. Claims 8, 15, 24, 33, 39, 45, and 54 recite similar limitations.

Therefore, Applicant respectfully submits that the claimed embodiment of the invention as set forth in Claims 1, 8, 15, 24, 33, 39, 45, and 54 are in condition for allowance.

Accordingly, the Applicants also respectfully submit that Claims 2-7, dependent on Claim 1, Claims 9-14, dependent upon Claim 8, Claims 16-23, dependent upon Claim 15, Claims 25-32, dependent upon Claim 24, Claims 34-38, dependent upon Claim 33, Claims 40-44, dependent upon Claim 39, Claims 46-53, dependent upon Claim 45, and Claim 55, dependent upon Claim 54, overcome the basis for rejection under 35 U.S.C. 102(b), as they are dependent on allowable base claims.

Conclusion

In light of the above-listed amendments and remarks, Applicants respectfully request allowance of the remaining Claims.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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